

**5362. Misbranding of cottonseed meal or cake. U. S. \* \* \* v. Apache Cotton Oil & Manufacturing Co., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 7868. I. S. Nos. 16061-1, 19970-1.)**

On January 29, 1917, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Apache Cotton Oil & Manufacturing Co., a corporation, Chickasha, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, from the State of Oklahoma into the State of Iowa, on or about February 23, 1916, (2 shipments) of an article labeled in part: "Cotton Seed Meal or Cake," which was misbranded.

Analyses of samples of the article in each shipment by the Bureau of Chemistry of this department showed the following results:

	No. 1.	No. 2.
Crude fiber (per cent)-----	12.79	11.74
Protein (per cent)-----	37.25	37.44

The above analyses shows that the protein content is less and the crude fiber higher than the guaranty.

It was charged in substance in the information that the article was misbranded for the reason that the statement, borne on the tags attached to the sacks, regarding the article and the ingredients and substances contained therein, to wit, "Guaranteed Analysis. Protein 38.42% " (or "42% ") " \* \* \* Crude Fiber 11% " (or "9½% "), was false and misleading in that it represented that said article contained not less than 38.42 per cent (or 42 per cent) of protein and not more than 11 per cent (or 9½ per cent) of crude fiber; and for the further reason that the article was labeled as aforesaid, so as to deceive and mislead the purchaser into the belief that it contained not less than 38.42 per cent (or 42 per cent) of protein, and not more than 11 per cent (or 9½ per cent) of crude fiber, whereas, in truth and in fact, it contained, approximately 37.25 per cent (or 37.44 per cent) of protein, and 12.79 per cent (or 11.74 per cent) of crude fiber.

On February 28, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*